



3-16

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/657404
Filing Date	September 8, 2000
First Named Inventor	Weimin Sun
Group Art Unit	3762
Examiner Name	Frances P. Oropeza
Attorney Docket Number	279.279US1
Customer No.	21186
Confirmation No.	3413

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application entitled IMPROVED RATE-ADAPTIVE THERAPY WITH AUTOMATIC LIMITING OF MAXIMUM PACING RATE.

Submission required under 37 C.F.R. § 1.114

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1. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .
2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
2. ☐ An Amendment Under 37 CFR § 1.116 (pages) is enclosed.
4. ☐ A new power of attorney (pages) is enclosed.
5. ☒ An Information Disclosure Statement is enclosed (2 pgs.).
 - a. 1 Form 1449
 - b. 3 Copies of IDS Citations
6. ☒ A check in the amount of \$770.00 is attached to pay the RCE filing fee required under C.F.R. § 1.17(e).
7. ☒ **The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 CFR §§ 1.16 through 1.18 to Deposit Account No. 19-0743.**
8. ☐ A petition for extension of time in the prior application (pages) is enclosed along with a check in the amount of to pay the extension fee.
- ☒ A Communication Concerning Related Application (1 pg.).

11/12/2003 SDIRET01 00000147 09657404
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770.00 OP

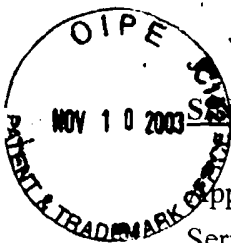
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number: 21186

By: Timothy E. Bianchi
Atty: Timothy E. Bianchi
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Attn-Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5 day of November, 2003.

Paula Suchy
Name

Paula Suchy
Signature



09/657404

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Weimin Sun et al.

Examiner: Frances P. Oropeza

Serial No.: 09/657,404

Group Art Unit: 3762

Filed: September 8, 2000

Docket: 279.279US1

Title: IMPROVED RATE-ADAPTIVE THERAPY WITH AUTOMATIC LIMITING
OF MAXIMUM PACING RATECOMMUNICATION CONCERNING RELATED APPLICATIONMail Stop: RCE
Commissioner for Patents
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Alexandria, VA 22313-1450RECEIVED
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TECHNOLOGY CENTER R3700Applicants would like to bring to the Examiner's attention the following related
application in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
10/087,222	March 1, 2002	279.287US1	THERAPY OPTIMIZATION IN HEART FAILURE PATIENTS BASED ON MINUTE VENTILATION PATTERNS

Respectfully submitted,

WEIMIN SUN ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6912

Date

Nov. 5, 2003

By

Timothy E. Bianchi
Reg. No. 39,610CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal
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Name

Signature



N 09/657404

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Weimin Sun et al.	Examiner:	Frances P. Oropeza
Serial No.:	09/657,404	Group Art Unit:	3762
Filed:	September 08, 2000	Docket:	279.279US1
Title:	IMPROVED RATE-ADAPTIVE THERAPY WITH AUTOMATIC LIMITING OF MAXIMUM PACING RATE		

INFORMATION DISCLOSURE STATEMENT

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fees deemed necessary to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No :09/657404

Filing Date: September 08, 2000

Title: IMPROVED RATE-ADAPTIVE THERAPY WITH AUTOMATIC LIMITING OF MAXIMUM PACING RATE

Page 2

Dkt: 279.279US1

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

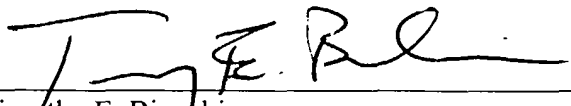
Respectfully submitted,

WEIMIN SUN ET AL.

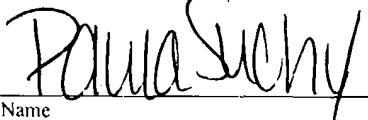
By their Representatives,

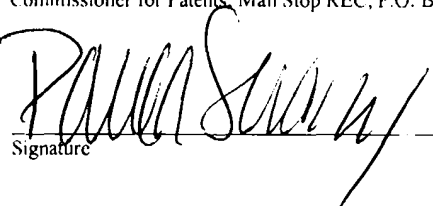
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6912

Date Nov. 5, 2003

By 
Timothy E. Bianchi
Reg. No. 39,610

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Name


Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number 09/657404
Filing Date September 8, 2000
First Name of Inventor Sun, Weimin
Group Art Unit 3762
Examiner Name Oropeza, Frances

Attorney Docket No: 279.279US1

Sheet 1 of 1

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-5,974,340	10/26/1999	Kadhiresan, V. A.	607	18	04/29/1997

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T ²
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OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		SOUIC, LUC P., et al., "Correlation of the Heart Rate-Minute Ventilation Relationship with Clinical Date: Relevance to Rate-Adaptive Pacing", <u>PACE</u> , Part I, Vol. 20, August 1997, (August 1997), 1913-1918	
		TREESE, NORBERT, et al., "Ventilation and Heart Rate Response During Exercise in Normals: Relevance for Rate Variable Pacing", <u>PACE</u> , Vol. 16, August 1993, (August 1990), 1693-1700	

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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached